Mr. Shankarnarayana Rao stated that though the Guardians and Wards Bill now before the Legislative Council enabled Deputy Commissioners of districts to apply for guardianship on behalf of a minor in certain cases, it was not incumbent on them to do so, and that, to protect the interests of minors left without proper guardians, provision should be made requiring that executive authorities should take prompt action in such cases.

Reply of Government.—There is great difficulty in requiring executive officers to take up the responsibilities of guardianship.

(Mr. Shankarnarayana Rao stated that he fully appreciated the difficulties involved in the question and offered to submit a memo through the representatives of the Assembly in the Legislative Council.)

SUBJECT No. 12.

Amendment of the Court Fees Regulation.

Mr. V. Raghavachar, Mysore Taluk.
Mr. T. Subbarayappa, Chikballapur Taluk.

Summary of discussion.—Court-fees in cases connected with disputes about lands in inam villages may be calculated at five times the assessment or estimated asesssment as in the case of lands in Government villages.

A draft was also presented as ordered last year.

Messrs. Raghavachar and Karnik Krishnamurti offered to submit memoranda on this subject. The memoranda have since been received.

Reply of Government.—The matter will be taken up at once.

SUBJECT No. 13.

Amendment of theCourt Fees Regulation or modification of the Government Order No. 2951 of 25th March 1908.

Mr. B. Narasinga Rao, Seringapatam Municipality.

Summary of discussion.—Whenever a suit is filed to recover a whole survey number or a sub-number, the land is required to be valued at five times the amount of annual assessment payable on that land to Government. If the suit is to recover a portion of that number, it is insisted that the value of that portion should be the market rate, which often amounts to more than five times the assessment of the whole survey number. With a view to remove this anomaly and to avoid hardship to the litigant public, it was prayed last year (Subject No. 16) that either the Court Fees Regulation might be amended or the Government Notification No. 2951 of 25th March 1908 modified. The Government were pleased to observe that the Notification of 25th March 1908 was clear enough on the point and that if any doubt existed about its interpretation, a test case might be taken to the Chief Court.

The observations made by the Chief Justice in his notes of inspection of Mysore courts of 30th April 1910 leave no doubt as to the interpretation put upon the

circular. It is therefore prayed that the circular in question may be modified by directing the valuation of a portion of a survey number or the sub-number being fixed at five times the assessment rateably payable on that portion. If that is considered impracticable, the court-fee may be ordered to be levied as if the suit were for the recovery of the whole number. He further pointed out the anomaly in taking the market value as the standard for calculating the court-fee when the suit is for the fractional portion of a survey number, while, when the suit is for the whole survey number or a sub-number only, five times the assessment is taken for fixing the court-fee. He stated that the Chief Judge had appreciated the hardship involved in the existing rules.

Reply of Government.— The circular in question will be amended.

SUBJECT No. 14.

(*a*) The Transfer of Property Act.
(*b*) The Negotiable Instruments Act.

Mr. Rajagopalengar, Chikballapur Taluk.

Summary of discussion.—(*a*) It is prayed that the Transfer of Property Act which is in force in British India may be introduced into the Mysore State.

(*b*) The Negotiable Instruments Act may be introduced into the State.

Reply of Government.—(*a*) Opinion is not unanimous as regards the desirability of the introduction of the Transfer of Property Act. Its introduction is therefore at present impracticable.

(*b*) The representation is noted for consideration.

SUBJECT No. 15.

The Probate and Administration Act and the Hindu Wills Act.

Mr. C. Krishnamurti, Law Association, Bangalore.

Summary of discussion.—The introduction of the Probate and Administration Act and the Hindu Wills Act is requested.

The member stated that, as some people objected to the introduction of the Hindu Wills Act, he left it entirely to the Government to decide as they considered proper in that matter but that, in regard to the Probate and Administration Act, the necessity was very great as the want of it was felt very frequently in the State. He added that there was no law in the State defining the rights, duties and responsibilities of executors and administrators, though the making of wills was coming into vogue with the Hindus.

Reply of Government.—There are now some important bills before the Legislative Council and it will be about 12 months before they can be passed into law. The bills proposed by the member will be taken up for consideration as early thereafter as practicable.